

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

---

AMICUS THERAPEUTICS US, LLC  
and AMICUS THERAPEUTICS, INC.,

*Plaintiffs,*

v.

TEVA PHARMACEUTICALS USA, INC.,  
and TEVA PHARMACEUTICALS, INC., *et al.*

*Defendants.*

---

:  
:  
:  
: C.A. No. 1:22-cv-01461-CJB  
:  
: ANDA Case  
:  
: (Consolidated)  
:  
:  
:  
:  
:  
:

**DECLARATION OF GEORGE J. BARRY, III IN SUPPORT  
OF DEFENDANTS AUROBINDO PHARMA LTD.  
AND AUROBINDO PHARMA USA, INC.'S  
MOTION FOR SUMMARY JUDGMENT UNDER 35 U.S.C. § 101**

I, George J. Barry, III, hereby declare, affirm, and state the following:

1. I am a Partner with the Law Firm of Kratz & Barry LLP, counsel of record for Defendants, Aurobindo Pharma Limited and Aurobindo Pharma USA, Inc. (collectively, “Aurobindo” or “Defendants”), in this Civil Action.

2. I am submitting this Declaration in Support of Defendants’ Motion for Summary Judgment Under 35 U.S.C. § 101.

3. The facts set forth below are known to me personally, and I have first- hand knowledge of them.

4. A true and complete copy of U.S. patent No. 11,633,388 (“388 patent”) is appended hereto as **Exhibit 1**.

5. A true and complete copy of U.S. patent No. 11,833,164 (“164 patent”) is appended hereto as **Exhibit 2**.

6. A true and complete copy of U.S. patent No. 12,042,489 (“489 patent”) is appended hereto as **Exhibit 3**.

7. A true and complete copy of U.S. patent No. 12,042,490 (“490 patent”) is appended hereto as **Exhibit 4**.

8. A true and complete copy of U.S. patent No. 9,000,011 (“011 patent”) is appended hereto as **Exhibit 5**.

9. True and complete excerpts of relevant portions of the Deposition Transcript of Efrida Benjamin, Ph.D., Corporate Designee,<sup>1</sup> dated February 6, 2025, are appended hereto as **Exhibit 6**.

10. A true and complete copy of the Executed Errata Sheet for Dr. Benjamin’s deposition transcript is appended hereto as **Exhibit 7**.

11. True and complete excerpts of relevant portions of the Deposition Transcript of Jeffrey P. Castelli, Ph.D., Corporate Designee,<sup>2</sup> dated February 21, 2025, are appended hereto as **Exhibit 8**.

12. A true and complete copy of the Executed Errata Sheet for Dr. Castelli’s deposition transcript is appended hereto as **Exhibit 9**.

13. A true and complete copy of a printout of the FDA’s Electronic Orange Book patent listing for Plaintiffs’ Galafold Product is appended hereto as **Exhibit 10**.

---

<sup>1</sup> Dr. Benjamin also is an inventor on Exhibits 1-4.

<sup>2</sup> Dr. Castelli also is an inventor on Exhibits 1, 3-4.

I declare under penalty of perjury that the foregoing is true and correct under the laws of the United States.

Dated: June 12, 2025

**KRATZ & BARRY LLP**



---

GEORGE J. BARRY, III  
1050 Crown Pointe Parkway, Suite 500  
Atlanta, GA 30338  
(404) 431-6600  
gbarry@kratzandbarry.com

*Attorney for Defendants,  
Aurobindo Pharma Ltd.  
and Aurobindo Pharma USA, Inc.*